



2134 41

**AMENDMENT TRANSMITTAL**

**PATENT**

Application No.: 09/659,864  
Filing Date: 9/12/00  
First Named Inventor: Vogel  
Examiner's Name: Tran, T.  
Art Unit: 2134  
Attorney Docket No.: 04860.P2436

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

**ATTACHMENTS**

- ☐ Preliminary Amendment
- ☒ Amendment/Response with respect to Office Action
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
- ☐ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☐ Other: \_\_\_\_\_
- ☐ Other: \_\_\_\_\_
- ☒ Check(s)
- ☒ Postcard (Return Receipt)

**SUBMITTED BY:**

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP  
TYPED OR PRINTED NAME: Sheryl Sue Holloway

SIGNATURE: \_\_\_\_\_

REG. NO.: 37,850

DATE: \_\_\_\_\_

ADDRESS: 12400 Wilshire Boulevard, Seventh Floor  
Los Angeles, California 90025

TELEPHONE NO.: (408) 720-8300

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**NOV 22 2004**

**Technology Center 2100**

**CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450 on November 11, 2004

Date of Deposit

Cheri Clinkenbeard

Name of Person Mailing Correspondence

November 11, 2004

Signature

Date

Express Mail Label No. (if applicable): \_\_\_\_\_

**Send to:** COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

(10/14/03)

**FEE TRANSMITTAL FOR FY 2005**

(FY 2005 Begins 10/01/2004)

**TOTAL AMOUNT OF PAYMENT (\$)** 196.00

Complete if Known:

Application No. 09/659,864  
Filing Date 9/12/00  
First Named Inventor Vogel  
Examiner Name Tran, T.  
Art Unit 2134  
Attorney Docket No. 04860.P2436

☐ Applicant claims small entity status. See 37 CFR 1.27.**METHOD OF PAYMENT** (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None  
☒ Deposit Account

Deposit Account Number : 02-2666

Deposit Account Name: \_\_\_\_\_

☒ The Director is Authorized to do the following with respect to the above-identified Deposit Account:☐ Charge fee(s) indicated below.☒ Credit any overpayments.☒ Charge any additional fees during the pendency of this application.☒ Any concurrent or future reply that requires a petition for extension of time should be treated as incorporating an appropriate petition for extension of time and all required fees should be charged.☐ Charge fee(s) indicated below except for the filing fee.**FEE CALCULATION****RECEIVED****NOV 22 2004**

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**1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Code	Fee (\$)	Code	Fee (\$)		
1001	790	2001	395	Utility application filing fee	_____
1002	350	2002	175	Design application filing fee	_____
1003	550	2003	275	Plant filing fee	_____
1004	790	2004	395	Reissue filing fee	_____
1005	160	2005	80	Provisional application filing fee	_____

**SUBTOTAL (1)** \$ 0**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

		Extra Claims	Fee from below	Fee Paid
Total Claims	<u>51</u>	- 45** = <u>5</u>	X <u>18.00</u>	= <u>108.00</u>
Independent Claims	<u>8</u>	- 7** = <u>1</u>	X <u>88.00</u>	= <u>88.00</u>
Multiple Dependent				= _____

\*\*Or number previously paid, if greater; For Reissues, see below.

Large Entity		Small Entity		Fee Description
Code	Fee (\$)	Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	**Reissue independent claims over original patent
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** \$ 196.00

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

<u>Large Entity</u>		<u>Small Entity</u>		<u>Fee Description</u>	<u>Fee Paid</u>
<u>Fee</u>	<u>Fee</u>	<u>Fee</u>	<u>Fee</u>		
<u>Code</u>	<u>(\$)</u>	<u>Code</u>	<u>(\$)</u>		
1051	130	2051	65	Surcharge - late filing fee or oath	_____
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	_____
1053	130	1053	130	Non-English specification	_____
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	_____
1813	8,800	1813	8,800	Request for inter parties reexamination	_____
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	_____
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	_____
1251	110	2251	55	Extension for reply within first month	_____
1252	430	2252	215	Extension for reply within second month	_____
1253	980	2253	490	Extension for reply within third month	_____
1254	1,530	2254	765	Extension for reply within fourth month	_____
1255	2,080	2255	1,040	Extension for reply within fifth month	_____
1401	340	2401	170	Notice of Appeal	_____
1402	340	2402	170	Filing a brief in support of an appeal	_____
1403	300	2403	150	Request for oral hearing	_____
1451	1,510	1451	1,510	Petition to institute a public use proceeding	_____
1452	110	2452	55	Petition to revive - unavoidable	_____
1453	1,370	2453	685	Petition to revive - unintentional	_____
1501	1,370	2501	685	Utility issue fee (or reissue)	_____
1502	490	2502	245	Design issue fee	_____
1503	660	2503	330	Plant issue fee	_____
1460	130	1460	130	Petitions to the Commissioner	_____
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	_____
1806	180	1806	180	Submission of Information Disclosure Stmt	_____
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	_____
1809	790	2809	395	For filing a submission after final rejection (see 37 CFR 1.129(a))	_____
1814	110	2814	55	Statutory Disclaimer	_____
1810	790	2810	395	For each additional invention to be examined (see 37 CFR 1.129(b))	_____
1801	790	2801	395	Request for Continued Examination (RCE)	_____
1802	900	1802	900	Request for expedited examination of a design application	_____
1504	300	1504	300	Publication fee for early, voluntary, or normal pub.	_____
1505	300	1505	300	Publication fee for republication	_____
1803	130	1803	130	Request for voluntary publication or republication	_____
1808	130	1808	130	Processing fee under 37 CFR 1.17(i) (except provisionals)	_____
1454	1,370	1454	1,370	Acceptance of unintentionally delayed claim for priority	_____

Other fee (specify) \_\_\_\_\_

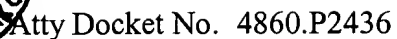
Other fee (specify) \_\_\_\_\_

**SUBTOTAL (3) \$ 0**

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY:**Typed or Printed Name: Sheryl Sue HollowaySignature:  Date: NOV. 11, 2004Reg. Number: 37,850 Telephone Number: 408-720-8300

Send to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## AMENDMENT AND RESPONSE TO OFFICE ACTION

In response to the Office Action mailed August 11, 2004, Applicant respectfully requests reconsideration of this application, as amended, and consideration of the following remarks.

[illegible]

1. *Chlorophyll a* and *Chlorophyll b* were determined by the method of Arar and Collins (1971).

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